IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 33165 of 1997

Between:

N.Babu Rao S/o Bala Lingaiah
H.No.1-8-191, Chikkadpally,
Hyderabad.

..... PETITIONER

AND

1 The Superintending Engineer, R&B Rural Circle,
Balkampet, Hyderabad.
2 The Superintending Engineer, R.&B Circle,
Eluru, West Godavari District.
3 The Superintending Engineer,
Panchayatraj Circel, Nalgonda.
4 The Superintending Engineer,S.L.B.C.Circle-I,II & III,
G.V.Gudem, Nalgonda.
(Dismissed for default as per court order dt.7-9-2000 as against R4)
5 The Superintending Engineer,
Irrigation Circle, Red Hills, Hyderabad.
6 The Superintending Engineer,
Irrigation Circle, Nizamabad.
7 The Superintending Engineer,
Irrigation Circle, Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ of Mandamus Declaring the action of the respondents is not issuing Tender Schedules on the ground of production of Commercial Tax Clearance Certificate and Experience Certificate as illegal, arbitrary and violation of fundamental rights under article 19(1)g and Consequently direct the respondents to issue tender schedules in all tender notices without insisting Commercial Tax clearance Certificated and Experience Certificate.

Counsel for the Petitioner: MR.K.ANJI REDDY (Not present)
Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following:

ORDER:

The writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not issuing tender schedules on the ground of non-production of tax clearance certificate or experience certificate as illegal and arbitrary.

On 11.12.1997, this Court while admitting the writ petition granted interim order directing the respondents to issue tender schedules to the petitioner without insisting on production of Tax clearance certificate and Experience certificate.

When the matter is taken up for hearing, there is no representation on behalf of the petitioner. Learned Government Pleader for Roads and Buildings appearing on behalf of the respondents submits that in view of the interim orders granted by this Court earlier, no further orders are required to be passed in the writ petition.

Therefore, as the relief sought for in the main writ petition and the miscellaneous petition are one and the same, in which the interim direction was granted, no further orders are required to be passed in the writ petition.

Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

06.04.2005

dr/tvk

Copy to

1 The Superintending Engineer, R&B Rural Circle,
Balkampet, Hyderabad.
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Irrigation Circle, Warangal.

8 2 CCs to Government Pleader for Roads and Buildings,

High Court Buildings, Hyderabad. (OUT)

9 2 CD copies.